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Appln. No. 10/715,803  
Docket No. GP-303124/GM2-0075

APR 16 2007

## REMARKS / ARGUMENTS

### Status of Claims

Claims 1-4, 7-12 and 23-28 are pending in the application. Claims 4, 23 and 27 stand rejected. Claims 1-3, 7-12, 24-26 and 28 are allowed. Applicant has amended Claims 4, 23 and 27, leaving Claims 1-4, 7-12 and 23-28 for consideration upon entry of the present Amendment.

Applicant respectfully submits that the rejections under 35 U.S.C. §112, second paragraph, have been traversed, that no new matter has been entered, and that the application is in condition for allowance.

### Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 4, 23 and 27 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

The Examiner comments that the phrase "the resistance to movement" lacks sufficient antecedent basis.

Applicant traverses this rejection for the following reasons.

Although the word "resistance" is used in the phrase in question, Applicant respectfully submits that one skilled in the art would appreciate that the phrase "the resistance to movement" was intended to refer to the limitation "resistive to movement" presented earlier in the same claim, and that such a reading does particularly point out and distinctly claim the subject matter regarded as the invention. However, in an effort to advance this case to issuance, Applicant has nonetheless amended Claims 4, 23 and 27 as set forth above to further clarify the subject matter regarded as the invention.

More specifically, Applicant has amended Claims 4, 23 and 27 to more specifically associate the phrase "the resistance to movement" to the earlier presented limitation "resistive to movement", thereby providing the allegedly missing antecedent support.

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In view of the foregoing, Applicant respectfully submits that the arguments and amendments presented herein are made for the purpose of better defining the invention, rather than to overcome the rejections for patentability. The claims have not been amended to overcome any prior art and therefore, no presumption should attach that either the claims have been narrowed over those earlier presented, or that subject matter or equivalents thereof to which the Applicant is entitled has been surrendered.

In addition to the foregoing, and with specific reference to Claim 23, the Examiner comments that Claim 23 recites several limitations defining elements as slideable within the housing, but that these limitations appear to be repetitive as the parent claim already defines the sliding relations. While it does not appear that the Examiner specifically rejects Claim 23 on this observation alone, Applicant nonetheless, in an effort to clarify the record, offers the following explanation.

Applicant agrees that the parent claim defines certain sliding relations subsequently recited in Claim 23. However, these same sliding relations recited in Claim 23 are intended to relate certain additional limitations to certain sliding relations.

As a first example, the load initiating element, spring, and compression member in Claim 23 are slideable *in the first axial direction and the second opposite axial direction* in response to an axial load on *the load initiating element* sufficient to overcome the resistance to movement. Here, the slideable relation in both directions is modified with respect to an axial load on the load initiating element.

As a second example, the load initiating element, spring, and compression member in Claim 23 are slideable *in the first axial direction* in response to an axial load on *the compression member* in the first axial direction sufficient to overcome the resistance to movement. Here, the slideable relation in the first direction is modified with respect to an axial load on the compression member.

As a third example, the load initiating element, spring, and compression member in Claim 23 are lockable *in the second axial direction* in response to an axial load on *the compression member* in the second axial direction sufficient to compress the spring against the housing, prior to the axial load overcoming the resistance to movement, with a

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locking force greater than the axial load. Here, the slideable relation in the second direction is modified with respect to an axial load on the compression member.

In view of the foregoing, Applicant submits that the several limitations in Claim 23 defining elements as slideable within the housing are presented to further define the claimed invention in terms that are more than a mere repetition of sliding relations presented in the parent claim.

In view of the foregoing, Applicant respectfully submits that the claimed subject matter is described in such a manner that reasonably conveys to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention, and now particularly points out and distinctly claims the subject matter regarded as the invention. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection, which Applicant considers to be traversed.

In light of the forgoing, Applicant respectfully submits that the Examiner's rejections under 35 U.S.C. §112, second paragraph, have been traversed, and respectfully requests that the Examiner reconsider and withdraw these rejections.

If a communication with Applicant's Attorneys would assist in advancing this case to allowance, the Examiner is cordially invited to contact the undersigned so that any such issues may be promptly resolved.

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The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 06-1130. In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

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